

the gel state; and liquefying that portion of the product proximate to the wound or necrosis by at least one of application of an external force, body heat, or ionic strength.

REMARKS

Through inadvertence and mistake, a step of the inventive process was omitted in claim 17. Amended claim 17 now includes the omitted step.

The application contains independent claim 17 and dependent claims 18-35. The rejection of claims 17-35 under 35 U.S.C. 103(a) as being unpatentable over Francesco et al. combined with WO 9637519 is traversed.

Claim 17 recites the method for treating a necrosis or wound comprising the steps of:

preparing a wound-treatment produce, adapted to change state in a reversible manner from a solution state to a gel state and from a gel state to a solution state, the product comprising aliphatic chains attached to polysaccharide macromolecules, wherein each aliphatic chain is attached to a single polysaccharide macromolecule;

applying the wound-treatment product in the solution state to a necrosis or wound; changing the state of at least a portion of the product from the solution state to the gel state; and liquefying that portion of the product proximate to the wound or necrosis by at least one of application of an external force, body heat, or ionic strength.
(underscoring added for emphasis).

In addition to the arguments previously advanced, and which are again herein presented, it is here noted that Francesco is directed toward the field of ophthalmology. In the Office Action mailed Sept. 10, 2001, the Examiner also accurately

noted that the compositions of Francesco et al. are described as being used for ophthalmological applications where excellent adhesion to the corneal epithelium is desired. It is also to be noted that, for this reason, Francesco does not disclose doing what we disclose and claim as our invention, that of, after preparing the solution: A) changing the solution into a gel state, and, B) changing the gel into a liquid state.

Nowhere does Francesco disclose a reversible product. The solution of Francesco is a polysaccharide with a high degree of esterification. It is not hydrosolugilizable. Bringing the solution of Francesco into contact with an aqueous solution does not mean that it is or that it becomes solubilized. What does happen is that it is dispersed throughout the solution. But, if the solution of Francesco were to be solubilized, it could not be use in an ophthalmological application because the liquid solution could change the optical properties of the eye. In an ophthalmological application, our disclosed and claimed process should be avoided. Clearly, Francesco does not disclose or even suggest doing the series of steps which we disclose and claim as our invention.

AUTHORIZATION

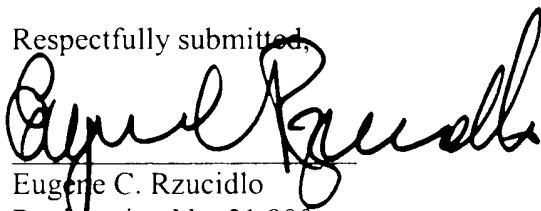
It is our understanding that the claims now present in the application clearly avoid the art of record and that the patent application is in condition for allowance. Early and favorable reconsideration is respectfully requested. If the Examiner believes that issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned at (212) 801-2100. the undersigned may also be contacted by e-mail at ecr@gtlaw.com. Please charge all required fees to the Greenberg Traurig LLP Deposit Account No. 50-1561.

No additional fee is believed to be necessary. The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 50-1561.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-1561.

Dated: October 24, 2002

By:

Respectfully submitted,

Eugene C. Rzucidlo
Registration No. 31,900
Customer Number: 32361

ATTACHMENT

17. (Amended) A method for treatment of a necrosis or wound comprising the steps of: preparing a wound-treatment produce, adapted to change state in a reversible manner from a solution state to a gel state and from a gel state to a solution state, the product comprising aliphatic chains attached to polysaccharide macromolecules, wherein each aliphatic chain is attached to a single polysaccharide macromolecule;

applying the wound-treatment product in the solution state to a necrosis or wound;

changing the state of at least a portion of the product from the solution state to the gel state; and

liquefying that portion of the product proximate to the (wound) wound or necrosis by at least one of application of an external force, body heat, or ionic strength.

preparing a wound-treatment produce, adapted to change state in a reversible manner from a solution state to a gel state and from a gel state to a solution state, the product comprising aliphatic chains attached to polysaccharide macromolecules, wherein each aliphatic chain is attached to a single polysaccharide macromolecule;

applying the wound-treatment product in the solution state to a necrosis or wound;

changing the state of at least a portion of the product from the solution state to the gel state; and

liquefying that portion of the product proximate to the wound or necrosis by at least one of application of an external force, body heat, or ionic strength.
(underscoring added for emphasis)